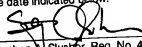


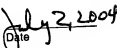


PATENT

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Stephen A. Slusher, Reg. No. 43,924


Date July 2, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/689,140
Applicant(s) : James E. Becvar, et al.
Filed : October 17, 2003
Title : LUMINOUS BACTERIA AND METHODS FOR THE ISOLATION,
IDENTIFICATION AND QUANTITATION OF TOXICANTS

TC/A.U. : 1652
Examiner : Unknown

Docket No. : 31695-1001

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 submitted herewith.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior references" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The Information Disclosure Statement submitted herewith is being filed before the mailing date of a first Office Action on the merits. Therefore, no fee or certification is required. 37 C.F.R. § 1.97(b).

This application is a continuation of 09/954,841, filed September 18, 2001, now U.S. Patent No. 6,673,563, which in turn is a continuation of 09/390,525, filed on September 3, 1999, now Patent No. 6,340,572, which is a continuation of application No. 07/680,678, filed on April 4, 1991, now Patent No. 6,017,722, all of which are relied on for an earlier effective filing date under 35 U.S.C. 120.

Copies of references are not enclosed because the information disclosure statements submitted in the listed earlier applications comply with paragraphs (a) through (c) in compliance with 37 C.F.R. § 1.98(d).

Respectfully submitted,



Stephen A. Slusher, Reg. No. 43,924
Direct line: (505) 998-6130

Enclosures: PTO Form 1449

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PTO/SB/08B (10-96)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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COMPLETE IF KNOWN

Application Number	10/689,140
Filing Date	October 17, 2003
First Named Inventor	James E. Becvar
Group Art Unit	1652
Examiner Name	Unknown
Attorney Docket Number	31695-1001

Sheet 1 of 4

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Pedro, et al. "Application of thin-layer and paper chromatography to the separation of toxic metals in biological specimens," 1966.	
		Stachlewska-Wobbwa "Separation and identification of a group of Toxic Substance by-thn layer chromatography" 1978	
		Alberts, et al. PNAS 77 (7) pp. 3957-3961	
		Ugarova, et al. (1986), Acta Hydrochim Hydorbiol., 14(3):283-292	
		Stom, et al. (1986), Acta Hydrochim Hydorbiol., 14(3):283-292	
		Vasseur, et al. (1983), Presented at the International	
		Gu. Zonglian (1987), Turangxue Jinzhan, 15(3): 48-51, 1987	
		Gu Z. (1983), Huanjing Kexue, 4(5):30-3. 1983.	
		Bielecki (1985), Acta Agro bot 35(1): 123-132, 1985	
		Aoyama, T. (1985), Health Phys., 48(6):773-80	
		Liebowitz (1984), Anal. Biochem., 137(1): 161-63	
		J.W. Hastings (1978) In: Bioluminescence and Chemiluminescence, Methods in Enzymology, Marlene A. DeLuca, Editor, Academic Press, vol. 57:125-135	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Unique citation designation number. 2. Applicant is to place a check mark here if English language Translation is attached.

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Application Number	10/689,140
Filing Date	October 17, 2003
First Named Inventor	James E. Becvar
Group Art Unit	1652
Examiner Name	Unknown
Attorney Docket Number	31695-1001

Sheet 2 of 4

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ³	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T*
		Hastings, et al. (1978) In: All Luminescence and Chemiluminescence Methods in Enzymology, Marlene A. DeLuca, Editor, Academic Press, vol. 57:135-152	
		Pannell et al. (1990) Organometallics, 9(9):2454-2462, Merck Index, 11 th ed. (1989), pp. 278-879	
		James E. Becvar, In: Bioluminescence and Chemiluminescence: Basic Chemistry and Analytical Applications, Marlene A. DeLuca and William D. McElroy, eds., Academic Press (1981), pp. 583-589	
		Kenneth Neelson (1978) In: Bioluminescence and Chemiluminescence, Methods in Enzymology, Marlene A. DeLuca, eds. Academic Press, vol. 57. 1978	
		Ugarova et al. (1987), Appl. Biochem. Biotechnol., 15 (1):35-51	
		"1992 Naval National Science Award Winners," Department of the Navy 2 (Jun. 1992)	
		"El Pasoan is top winner at science fair," El Paso Times 1 (May 16, 1992)	
		"Lincoln Junior High School Science Fair," Westside Annual 16 (Mar. 1, 1990)	
		McGill, D., "Caution: Young minds at work: Regional science fair is Saturday," El Paso Times 3B (Apr. 23, 1993)	
		Liebowitz, Anal. Biochem., 137(1):161-163, 1984, Merck Index, 11 th ed., 878-879, 1989	

Examiner Signature	Date Considered
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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COMPLETE IF KNOWN

Application Number 10/689,140
Filing Date October 17, 2003
First Named Inventor James E. Becvar
Group Art Unit 1652
Examiner Name Unknown
Attorney Docket Number 31695-1001

Sheet 3 of 4

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document Kind Code ² Number (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		1,707,465	Volck, et al.	4/1929	
		3,963,421	Jone	6/1976	
		4,226,859	Stach	10/1980	
		4,313,906	Filipi, et al.	2/1982	
		4,614,712	Baldwin, et al.	9/1986	
		6,017,722	Becvar, et al.	1/25/2000	
		6,340,572	Becvar, et al.	1/22/2002	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Office ³ Number ⁴ Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		EP 153366		8/1984		
		WODE 3833628		3/1990		
		WO 88DE626		10/1990		

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				Application Number	10/689,140	
				Filing Date	October 17, 2003	
				First Named Inventor	James E. Becvar	
				Group Art Unit	1652	
				Examiner Name	Unknown	
Sheet	4	of	4	Attorney Docket Number		31695-1001

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No. ¹	<u>Foreign Patent Document</u> Office ³ Number ⁴ Kind ⁵ Code (if known)			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T 6
		WIPO	8500890			2/1985		
		WIPO	88-308491			4/1988		
		WO	89/08500			3/1989		
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